

LARSON

History of Land Grants
In Illinois

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HISTORY OF LAND GRANTS IN ILLINOIS

by

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THIS IS TO CERTIFY THAT THE THESIS PREPARED UNDER MY SUPERVISION BY

Lawrence Fiel Larson,

ENTITLED

History of Land Grants in Illinois

IS APPROVED BY ME AS FULFILLING THIS PART OF THE REQUIREMENTS FOR THE DEGREE


OF

Bachelor of Arts in Political Science,

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History.



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PREFATORY NOTE.

I have endeavored to trace in this paper the history of land grants in the State of Illinois, from their inception to the present time. An effort has been made to determine how the public lands in this state have been disposed of by the Federal government, and also how the state disposed of them.

In order to have a clear understanding of the situation as it was in 1784, when the lands of the state came into the possession of the Federal government, I have given a general account of the land policy and grants made by the French, British and Virginia governments, each of which controlled the Illinois country before 1784.

University of Illinois.

Urbana, May, 1903.

CONTENTS.

Introduction.

. Chapter

I. Land Grants under French Control.

II. Land Policy of Great Britain.

III. Land Grants by Virginia.

IV. Land Grants under Federal and State Control.

V. Disposal of Public Land in Illinois.

Bibliography.

INTRODUCTION.

The disposition, allotment and settlement of the public lands, within what is now the State of Illinois, has been the work of the three greatest powers of the world, France, England and the United States. These three nations and the Virginia colony have all had possession at various times and have each regulated its civil government. Each has made grants of land to the inhabitants and under the titles received from these governments, they have held possession. These grants, in many cases, have at various times, been confirmed by the United States. In many cases, no written title or concession could be shown, but on account of their long possession, previous occupancy and prior rights, the Federal government gave them an unquestioned title to their possessions. The boundaries of these grants were not at all accurate but if the land of one encroached upon that of another, it was settled by the arbitrement of the neighbors or by the order of the commandant, whose decision was final.

The history of these land grants may be traced more clearly, if we divide the entire time into periods. The Illinois country was under French control from 1673 to 1765; under British control, from 1765 to 1778; under Virginia control, from 1778 to 1784; under Federal or United States control, from 1784 to 1818 and under Federal and State control, from 1818 to 1903.

CHAPTER I.

Land Grants while under French control.

The first settlements within the present limits of Illinois were made by the French, and were largely the result of Jesuit missionaries. Marquette and Joliet, the former a Jesuit priest, the latter a French trader, were the first explorers of Illinois. They left Mackinaw on May 13, 1673, for the mouth of the Fox river, which they ascended as far as possible. Crossing the portage, they reached the Wisconsin on June 10, 1673. Floating down this stream, they reached the Mississippi on June 17. They descended the river until they reached the mouth of the Arkansas. Having satisfied themselves that the river on which they were emptied into the Gulf of Mexico and also fearing the Spaniards, they started back. When the mouth of the Illinois was reached, they ascended that river, visiting many Indian tribes, among whom was the Kaskaskias. Joliet returned to Quebec to announce the results of the expedition, but Marquette remained for a time at Green Bay to preach the gospel.

In 1678, Lasalle and Father Hennepin, having received authority from the French government, went up the Great Lakes and on Dec. 2, 1679, reached the Kankakee river. They reached the Illinois river about the 25th and on Jan. 3rd, landed at what is now known as Peoria Lake. They built a fort at the foot of the lake, which they named Cieve-coeur. Sending Hennepin to explore the upper Mississippi, Lasalle returned to Canada. He made two other expeditions to the Illinois country, the latter of which was the more success-

ful. During this expedition, he descended the Mississippi river to the Gulf, and on April 9, 1682,(1) took possession of the country in the name of the King of France. In December of this same year a fort was begun at St. Louis, named in honor of the French monarch. At this time, Lasalle granted tracts of land to his French followers.(2) The letters patent,(3) granted by the King of France to Lasalle in 1678, gave him full powers over the domain which he explored. This is the first time in the history of Illinois, that land grants were made.

On September 8, 1700, Father James Gravier went to Illinois. Father Marest had charge of the mission in Illinois at this time. They founded the Mission of the Immaculate Conception on the spot where Kaskaskia now stands. "We may reasonably conclude" says Mason "that the Kaskaskia of our time should date its origin from the fall of the year 1700, and should honor James Gravier and Gabrael Marest as its founders."(4) The mission village of Cohokia was also founded at this time and the "two throve apace."(5)

In 1712, the King of France granted to the Sieur Crozat the exclusive control of the trade of Louisiana. This included the southern part of Illinois, below the Illinois river. It is questioned by some whether the grant included Illinois at all or not. A

- (1) Wallace, Illinois and La. under French rule, page 142.
- (2) Wallace- Illinois and La. under French rule. page 148.
- (3) B. F. French- Historical Collections of La. Vol. I p. 35.
- (4) Mason- Kaskaskia and its Parish Records- p. 5.
- (5) Ibid- p. 24.

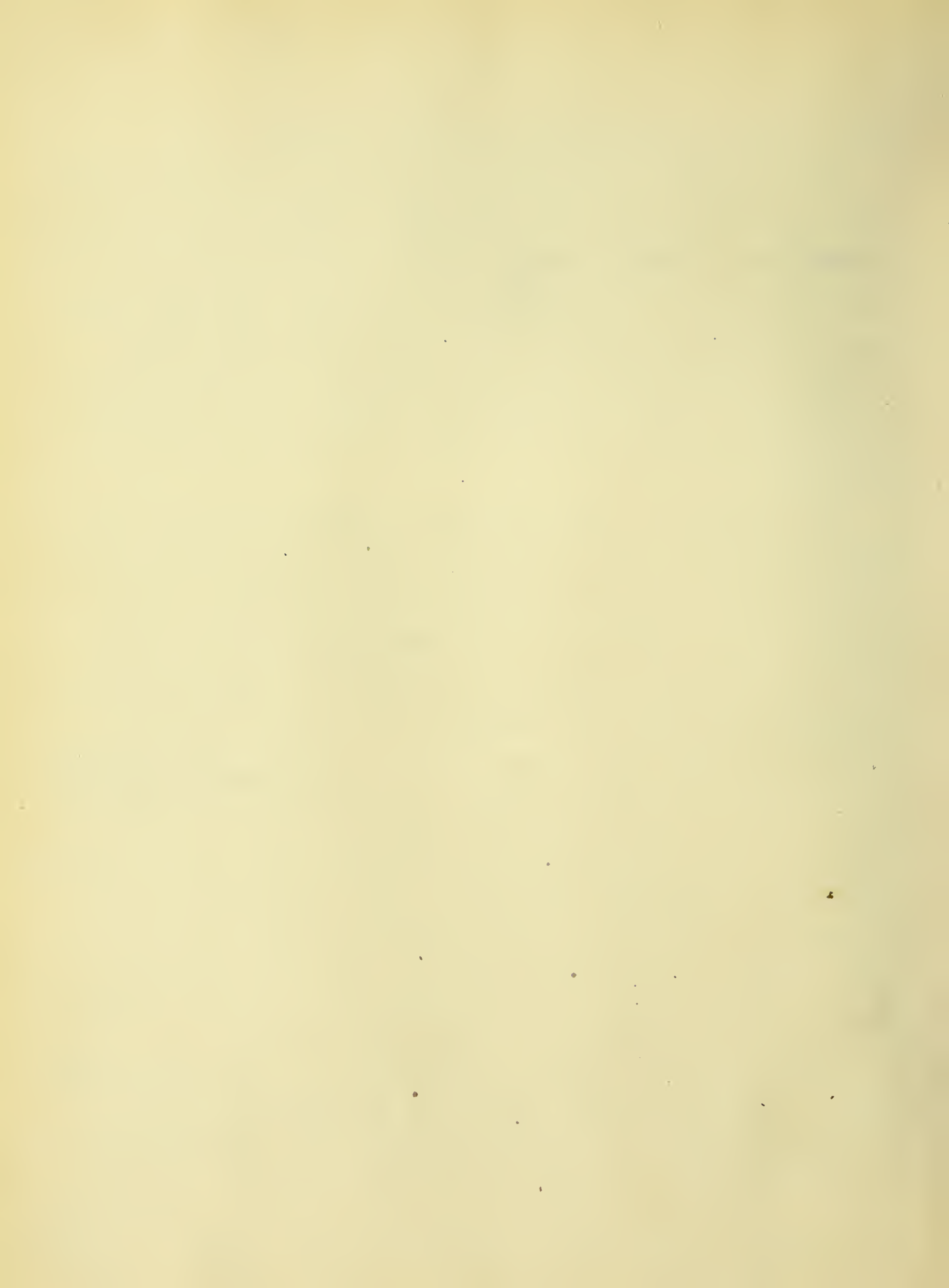
brief review of the grant will not be out of place.

Believing that the resources of Illinois would be more productive in the hands of some individual, the King in 1712 issued royal letters patent to Antoine Crozat, Marquis de Chatel, giving him complete control of the commerce of the province. The patent gave Crozat, a right "to search for, open and dig all mines, veins, minerals, precious stones and pearls throughout the whole extent of the country, reserving a fifth part of the gold and silver for the King."

The language as to the territory is somewhat indefinite. It reads as follows, "Solely to carry on a trade in all the lands possessed by us, and bounded by New Mexico and by the lands of the English of North Carolina, all the establishments, ports, havens, rivers, and principally the port and haven of the Isle Dauphine, heretofore called Massacre; the river of St. Louis, heretofore called Mississippi, from the edge of the sea as far as the Illinois; together with the river St. Philip, heretofore called the Missouri and of St. Jerome, heretofore called Ouabache, with all the countries, territories, lakes within land and the rivers which fall directly or indirectly into that part of the river St. Louis." The patent bears the date at Fontainebleau, Sept. 14, 1712 and registered in the Parliament of Paris on the 24th of September.(1)

Crozat expected to realize large profits from the minerals and from the fur trade with the Indians and the Spaniards, but was not very successful. On the 23rd of August 1717, Crozat surrendered his rights and privileges to the King, Louis XV. Soon after,

(1) Wallace- Illinois and La. under French rule. p. 234.



the "Company of the West" was formed, to which were given powers, even greater than those given to Crozat. At the head of this company was John Law. It received complete control of the trade and commerce within the province of Louisiana, with full property in the soil.(1)

The colonists were allowed by the "Company of the West," titles to their landed possessions. The only tenure by which they had heretofore held their village lots and parcels of land was by verbal grant or an agreement with the Indians, with no reference to the King, "the lord paramount of the soil according to French law." (2) Grants of land were now freely given for the purpose of settlement or cultivation to all who applied for them. The earliest grants that were recorded date back to 1722. These were made by Mons. Boisbriant, the first commandant in Illinois, and Marc Antoine de la Loire des Ursins, (3) in behalf of the Royal Indian Company, successor of the "Company of the West."

The following is one of the earliest grants made:

Pierre Duquet de Boisbriant, Knight of the Military Order of Saint Louis, and First King's Lieutenant of the Province of Louisiana, commanding at the Illinois, and Mons. Antoine de la Loire Des Ursins, principal commissary for the Royal India Company, on the demand of Charles Danie to grant him a piece of land of five arpents in front on the side of the Mitchigamia river, running north and south joining to Michael Philip on one side, and on the other to Meleque, and in depth, east and west to the Mississippi. In

- (1) Breese- Early History of Illinois. p. 165.
- (2) Breese- Early History of Illinois. p. 170.
- (3) Ibid. p. 172.

consequence, they do grant to the said Charles Danie, in socage, the said land, whereon he may from this day commence working, clearing and sowing, in expectation of a formal concession, which shall be sent from France, by Messrs. the Directors of the Royal India Company, and the said land shall revert to the domain of the said company if the said Charles Danie does not work thereon, within a year and a day. Given this 10th day of May 1722.

(Signed) Boisbriant.

(Signed) Des Ursins.(1)

On the 22nd of June, 1722, Boisbriant and Des Ursins, granted to the inhabitants of Cahokia, their "commons", which is now one of the most valuable tracts of land in the State, being near the city of St. Louis.(2) They also confirmed to them their "common field" lands.

In 1719, Kaskaskia petitioned the commandant of the Illinois, asking for an assurance of the possession of the lands which had been granted to them. Mons. Boisbriant confirmed each inhabitant in his claim. He also established a "commons", lying outside the village, extending south to the mouth of the Kaskaskia river. This also included all the islands in the Mississippi opposite the village and a strip of land on the east side of the Kaskaskia river. These, however, were not confirmed. The grants made by these officers did not always receive a "formal concession" from France. They "ripened into a right" because they were considered of so little value that the agents of the company did not attempt to see whether or not

(1) Breese- Early History of Illinois. p. 172.

(2) Ibid. p. 176.

the conditions of the grant were lived up to.(1)

On June 14, 1723, Philip Renault was given a grant of land, a league square, in the southwest part of what is now the county of Monroe and also a large tract containing more than 140,000 acres at Pimitemi or what is now Peoria.(2) The village of St. Philip was established on the grant in Monroe county. Renault had come to the country in 1721, bringing with him five hundred slaves and two hundred artisans. Some of the land in Monroe county still belongs to his heirs.

Shortly before the Royal India Company surrendered its privileges in 1733, it granted to Boisbriant himself a large tract of land, embracing several thousand acres. He transferred it to his nephew, Jean St. Thorese Langlois. The village of Prairie du Rocher was laid out on this land. Langlois conveyed the land in lots to settlers, reserving his signorial rights. Later on, a grant was made to the village for a "commons." These were the most important grants made by the India Company. On April 10, 1732, it surrendered its vast privileges to the crown.

Louisiana, including the Illinois country, was now governed by officers appointed directly by the French crown.

Major D' Artaguet in 1734, was appointed "commandant general" in the province of Illinois. Under his rule land was granted freely to settlers for purposes of settlement and cultivation.

The governor of Louisiana, in 1743, confirmed to the inhabitants of Kaskaskia, the right to their "commons", for which they had

(1) Breese- Early History of Illinois. p. 173.

(2) Ibid. p. 177.

petitioned the Royal India Company in 1727, but which had been until now wholly disregarded. They had lived for sixteen years in a state of uncertainty in regard to their "commons." They received an answer to their petition in 1743, confirming to them their "commons." They did not, however, receive the islands in the Mississippi and the land on the East side of the Kaskaskia river, which Boisbriant had granted to them.

The French land system is very interesting. It required that all grants be adjacent to one another, without allowing any land to exist in between. The grants were made by a certain number of arpents in front, and then extending in depth until the required quantity was gotten. A French arpent was $11 \frac{67}{100}$ rods square. By this method the farmers did not have to pay for more than one-half of their fences.

CHAPTER II.

Land Policy of Great Britain.

Great Britain claimed the country lying in the Ohio and Mississippi valleys by prior discovery. This claim was contended for in a war which lasted nine years, from 1754 to 1763. At the termination of hostilities, the Illinois country with Canada was ceded to the British government. Great Britain ruled in the Illinois country from 1763 to 1768. Illinois had for ninety years been under the control of the French, but the settlements were all small and were growing very slowly. But now a new life, vigorous and progressive, was to be instilled into the country.

Captain Sterling of the Royal Highlanders, on taking possession of Fort Chartres published a proclamation by Thomas Gage, Major-General of the King's armies in North America, granting to the "present inhabitants of Illinois, who choose to retain their lands, all rights and privileges, and the same security for their persons and effects and liberty of trade, as the old subjects of the King." (1)

On October 7, 1763, the King issued a proclamation, forbidding his subjects, "making any purchases or settlements whatever or taking possessions of any of the lands beyond the sources of any of the rivers, which fall into the Atlantic Ocean from the West or Northwest." (2) The object was to reserve the country as a hunting ground for the Indians and also to gain control of the large fur

(1) Moses, Ill. Historical and Statistical- Vol. I.- p. 136.

(2) Ibid. p. 135.

trade. The King held that the granting of lands in this remote territory would tend to encourage independence among his subjects. For a long time this policy of discouraging the settlement of the Northwest was supported vigorously by the British government. But the demand for western land became so great, that it was impossible to enforce the policy.

In 1763, John Wilkins, became commandant in the Illinois country. He made a large number of grants of land to his friends in Illinois, Philadelphia and elsewhere, on the condition that they give him an interest. His grants were made for the reason, as he said, "the cultivation of lands not then appropriated was essentially necessary and useful toward the better peopling and settlement of the said country, as well as highly advantageous to his Majesty's service, in raising, producing and supplying provisions for his Majesty's troops, stationed in the country of the Illinois." (1) He made several grants near Fort Chartres, Kaskaskia and Prairie du Rocher. One of his grants, later, became quite well known. This was made to John Boynton, Samuel Wharton and George Morgan, merchants of Philadelphia, who "trading in this country have greatly contributed to his Majesty's service." It was a large grant, containing about 30,000 acres, in the present county of Randolph. In August 1800, when St. Clair was sent as commissioner to adjust titles in the Illinois country and Vincennes, under acts of Congress, June 20 and August 28, 1788, the grant was patented to John Edgar and John Murray St. Clair, to whom the land was given.

(1) Moses- Illinois, Historical and Statistical. p. 132.

On July 5, 1773, at an Indian council held at Kaskaskia, the "Illinois Land Co." composed of English traders and merchants, received from the chiefs of the Kaskaskias, Cahokias and Peorias, a deed for two large tracts of land in Illinois. One included ten or twelve of the southern countries of the State. The other was near the middle of the State, south of the Illinois river. The deed was signed by the Indian chiefs and attested by the names of ten persons. It was recorded in the office of a notary public at Kaskaskia, Sept. 2, 1773.

In 1775, a merchant in the Illinois country, named Louis Viviat, acting as agent of the "Wabash Land Co." received a deed from eleven Piankishaw chiefs, for two large tracts, lying partly in Illinois and partly in Indiana. These tracts contained 37,497,600 acres. The deed was registered in the office of a notary public at Kaskaskia, Oct. 18, 1775.

On April 20, 1780, these two land companies united and called themselves the "United Illinois and Wabash Land Company." They made strenuous efforts for more than twenty years, from 1787 to 1810, to have these grants sanctioned by Congress but all their efforts failed.

CHAPTER III.

Land Grants by Virginia.

The British government at the outbreak of the Revolutionary War, compelled the French settlers in Illinois to renew their oath of allegiance to King George, and used every possible means to incite acts of hostilities towards the colonists. The early years of the war, however, did not materially affect the people living in Illinois. But in the third year of the war, the attention of Virginia was turned toward Illinois, which was within the limits claimed by her, by virtue of her early charters.

The Virginia militia in 1778, under the command of Col. George Rogers Clark was sent to this western country. He subjugated Kaskaskia and other posts on the Mississippi and conducted a successful expedition against Vincennes. The importance of this conquest was very considerable. Had the undertaking failed, we should probably never have gotten control of the great Northwest, and the treaty of 1783 might have named the Alleghany Mountains as the western boundary of the American nation. In October of the same year, the general assembly of Virginia passed an "act for establishing the County of Illinois and for the more effectual protection and defense thereof." (1) It provided that all the citizens of Virginia, living on the western side of the Ohio river, shall be included in a county to be called Illinois county. On December 12, 1778, Patrick Henry, then governor of Virginia appointed John Todd, county-lieutenant, or commandant in the county of Illinois. He

(1) Moses- Illinois, Historical and Statistical. p. 159.

arrived at Kaskaskia in May 1779.

The Illinois country was under the control of Virginia from 1778 to 1784. There were no special land grant laws passed but settlement was encouraged. On June 14, 1779, the commandant issued a proclamation(1) enjoining all personal from making settlements on the lands within one league of the rivers Mississippi, Ohio, Illinois, and Wabash, except in the manner and form of settlements, as made by the French inhabitants heretofore. Then too, every person was required to lay before persons, appointed for that purpose in each district, a memorandum of his or her land with vouchers for the same. The above, he said, was rendered necessary on account of the large numbers of adventurers who would overrun the country, and also to find out what land was vacant. If this were not done, trespassing would become a common affair. The object, therefore, was not to discourage settlement, but was to prevent the taking up of large tracts of land by speculators. Judge Law says, in referring to the land policy of Todd and his associates, "they did a wholesale business in the way of disposing of the public domain, not only to others, but to themselves, not only by the 'arpent' but by 'leagues.'"(2)

(1) Mason- John Todd's Record Book. p. 171. Text of Proclamation.
(2) Judge Law- Colonial History of Vincennes. p. 110.

CHAPTER IV.

Land Policy of the United States.

It has been pointed out that grants of land were made to settlers by the French, English and Virginia governments. At a very early period under the Federal government the right of settlers to their land became a subject of considerable consideration by Congress. But let us first see how the United States came into possession of the Western lands.

Virginia had opened land offices and disposed of land under that provision of the Articles of Confederation, which left the disposition of lands to the states owning the . Opposition to these proceedings was very marked, and Congress on October 20, 1779 adopted the following resolution, which was sent to the different states; "that it be earnestly recommended to the State of Virginia to reconsider her last act for opening her land office, and that it be recommended to the said state, and all other states similarly circumstanced to forbear settling or issuing warrants for unappropriated land, or granting the same, during the continuance of the present war." (1) The first state to cede her lands was New York. Virginia was the next state in the movement. By an act of her general assembly, Jan. 2, 1781, she submitted to Congress, a proposition for the cession of her western lands. Congress accepted the proposition Sept. 13, 1783. Virginia was to cede to the United States all her western lands under the following conditions. "First, that the

(1) Donaldson- Public Domain. p. 63.

expenses incurred by the State in subduing any British posts or in maintaining forts and garrisons therein, should be reimbursed by the United States.

"Second, that the French inhabitants and other settlers of Kaskaskia and neighboring villages, who had become citizens of Virginia, should have their possessions and titles confirmed to them, and be protected in their enjoyment of their rights and liberties.

"Third, that 150,000 acres, promised by the State shall be allowed and granted to George Rogers Clark and to the officers and soldiers of his regiment, who marched with him when Kaskaskia and Vincennes were reduced, and the officers and soldiers who have since been incorporated in said regiment, to be laid off in one tract and divided among said officers and soldiers, in due proportion according to the laws of Virginia."(1)

The United States, having now come into possession of the territory northwest of the Ohio river, the question of its government and disposal came up. On March 1, 1784, a committee consisting of Jefferson of Va., Chase of Md., and Howell of R. I., submitted a plan for the temporary government of the territory. After adding several amendments, the report was adopted April 23, 1784.(2) It provided for the organization of states and it was left to Congress to provide for such laws as might be needed for the preservation of peace and order among the settlers. The resolutions of 1784, failed to serve any practical purpose.

Another land ordinance was passed the next year. On May 20,

(1) Donaldson- Text in Public Domain. p. 69.

(2) Donaldson- Public Domain. p. 149. Text.

1785, Congress passed "an ordinance for ascertaining the mode of disposing of lands in the Western territory." (1) The ordinance provided that a surveyor should be appointed from each state by Congress or by a committee of the States, who should survey the lands ceded and purchased, under the direction of the geographer of the United States. The territory was to be divided into townships, six miles square by lines running due north and south and others crossing these at right angles. "The first line, running north and south as aforesaid shall begin on the river Ohio, at a point that shall be found to be due north from the western termination of a line, which has been run as the southern boundary of the state of Pa.; and the first line running east and west shall begin at the same point and shall extend throughout the whole territory." The Geographer was to designate the townships or fractional parts, by numbers progressively from south to north, beginning each range with No. 1. The ranges were to be distinguished by their progressive numbers to the westward. The first range, from the Ohio to Lake Erie, should be marked No. 1.

The townships shall be marked by subdivisions into lots of one mile square or 640 acres, in the same directions as the lines marking the townships, and numbered from 1 to 36, and "beginning the succeeding range of the lots with the number next to that with which the preceding one concluded."

The plots should be submitted to the Board of Treasury and carefully recorded. The Secretary of War was authorized to take by lot, from time to time, one-seventh of the whole, for the use of

(1) Journals of Congress.- Vol. X. p. 118.

the Continental Army.

The State Commissioners should proceed to sell the lands at public vendue. No land should be sold at a less price than one dollar an acre in specie or its equivalent in certificate of State or United States indebtedness, and the cost of surveying. Lots Nos. 8,11,26,29 in all whole townships should be reserved to the United States for future sale. No land was to be sold until surveyed.

The first surveys of the Federal government were made under this ordinance. It was the beginning of our present system of national land-surveys, which works so well. Hinsdale says "the greatest defect of the plan of survey was the lack of subdivisions, smaller than a square mile." (1)

In August 1786, the inhabitants of Kaskaskia petitioned Congress to provide means by which they could form a better government. On August 24, 1786, the Secretary of Congress was directed to inform the inhabitants of Kaskaskia, "that Congress have under their consideration the plan of a temporary government for the said district, and that its adoption will be no longer protracted than the importance of the subject and a due regard to their interest may require." (2) On the 19th of Sept., 1786, a committee reported but the consideration was postponed. On April 26, 1787, the same committee reported an "ordinance for the government of the Western territory." It was amended and read three different times and then

(1) Hinsdale- Old Northwest. 260.

(2) Donaldson- Public Domain. p. 150.

postponed. On July 9th. the ordinance was brought up again, and was passed on the 13th by a unanimous vote of the eight states present in the Congress.(1) The ordinance outlined the form of government and then there were added six articles of compact "between the original states and people and states of the said territory, and forever remain unalterable, unless by common consent."

The officers for the Northwest territory were appointed Feb. 1, 1788. Gen. Arthur St. Clair was appointed governor and Winthrop Sargent, secretary. They were reappointed by President Washington and confirmed by the Senate August 8, 1789. The hardest task which these men had to do in this new field was the adjustment of conflicting claims and titles to land. This was especially true in Illinois and Indiana. There were the old French grants, which were very difficult to distinguish and also the grants of the British and Virginia authorities. To make confusion still worse, the Confederate Congress, on August 23, 1788 passed a resolution to take measures "for confirming in their possessions and titles, the French and Canadian inhabitants and other settlers of Kaskaskia and Vincennes, who on or before the year 1783 had settled there and had professed themselves citizens of the United States or any of them, and for laying off to them the several tracts which they rightfully claim, and which may have been allotted to them, according to the laws and usages of the government under which they have respectfully settled." (1) Congress, at the suggestion of Col. Sargent, to whom Gov. St. Clair had committed the execution of the resolutions of Congress,

(1) Ibid. p. 153, Text.

(2) Moses- Illinois, Historical and Statistical. p. 199.

confirmed several titles, although there was not a particle of written evidence produced.

The Federal Congress, on March 3, 1791, passed an act, "for granting lands to the inhabitants and settlers at Vincennes and in the Illinois country, in the territory northwest of the Ohio, and for confirming them in their possessions." (1)

This act gave 400 acres of land to the persons, who in 1783, were heads of families at Vincennes or in the Illinois country. The governor was authorized to lay out the same for them at their own expense. Four hundred acres were also allowed to such persons who had moved from that country since 1783, providing such persons or their heirs return to their allotted lands within five years. Otherwise such lands should be forfeited to the United States. This act further provided that the lands at Vincennes or in the Illinois country that had been actually improved and cultivated, should be granted to the persons who made such improvements or to their heirs or assigns. Not more than 400 acres could be granted to one person. These lands had been cultivated under a supposed grant by commandants or courts, claiming the authority to make such grants. One hundred acres were to be given to each person who had not as yet received any donation from the United States, and who was enrolled in the militia in the Illinois country in 1790.

President Washington, in October 1789, instructed Governor St. Clair to execute the orders of Congress. He said; "It is a circumstance of some importance that the said inhabitants, should as soon

(1) Statutes at Large. Vol. I. p.

as possible, possess the lands, which they are entitled to, by some known and fixed principle." In March, 1790, Governor St. Clair issued a proclamation to the inhabitants, asking them to exhibit their titles and claims to the lands which they held, in order that they might be confirmed in their possessions. A large majority of the claims at Kaskaskia were consequently surveyed.

Congress passed an act on March 26, 1804,(1) establishing land offices at Detroit, Vincennes and Kaskaskia. Each land office had a register and receiver of public moneys. These two men were to act as commissioners for their respective districts. They were ordered to examine the claims of persons, claiming land by virtue of the act passed in 1791. The task was a very difficult one as there were many forged signatures to deeds. The commissioners were authorized to report their proceedings to Congress. The Kaskaskia commissioners reported Dec. 31, 1810.(2) They closed their report as follows, "In a considerable proportion of the cases, where claims have been supported by perjured testimony, we have been presented with forged deeds, conveying the claims thus supported. They amount to a very great number. We close this melancholy picture of human depravity by rendering our devout acknowledgements, that in the awful alternative in which we have been placed, of either admitting perjured testimony in support of the claims before us, or having it turned against our characters and lives, it has, as yet pleased that Divine Providence which rules over the affairs of men to preserve us

(1) Statutes at Large. Vol. I.

(2) American State Papers. Vol. XVII.

both from legal murder and private assassination." The claims which the commissioners in Illinois had to settle, may be classed under four heads. First, there were the "ancient grant" claims. The commissioners reported that they were satisfied that no grants made during the continuance of the British government in this country were either authorized or sanctioned by it.

With respect to the old French grants, the commissioners reported that oral testimony had to be taken, "because of the wanton outrages which had been committed on their records by the British officers and others. Otherwise we should have ruined the most quiet and inoffensive part of this community."

The second class of claims were the "donations to heads of families." All those who had become heads of families in Illinois from the peace of 1783 to the passage of the law in 1788, had received the land promised to them.

The third class was the "improvement right" claims. These had been confirmed, but one improvement claim only was allowed to one man.

The fourth class was the "militia rights" claims. The commissioners reported that they had given no person a militia donation who had received a donation as head of a family.

Of 2,294 claims that were presented, 1,171 had been confirmed. 890 claims were rejected by the commissioners as illegal or fraudulent.(1)

The first report of the commissioners raised a doubt as to the validity of these claims. The claimants also were in many cases,

(1) Moses- Illinois, Historical and Statistical. p. 201.

dissatisfied. Congress therefore passed an act Feb. 20, 1812,(1) for the revision of these land claims in the Kaskaskia district. The commissioners reported to the Secretary of the Treasury, Jan. 4, 1813. On April 6, 1814,(2) Congress passed an act for confirming the claims, which the commissioners reported favorably, and also provided for their location. For these claims as well as other claims, not yet located, a tract of land included within the following boundary was reserved. "Beginning at the township line nearest to and above the mouth of the Big Muddy river, on the Mississippi river; thence east to the Meridian line running from the mouth of the Ohio river; thence north with the said Meridian line to the north boundary lines of township number five, north; thence west to the Mississippi river, thence down the same to the beginning."

The settlers in the Kaskaskia district, therefore obtained possession of their lands, to which they were entitled, but there were many claims that were not confirmed. Great dissatisfaction prevailed, especially in the Kaskaskia district. The government of the territory was not what it should have been. The claims were difficult to adjust on account of the speculation which had been carried on from the time the resolution was passed in 1788, resolving to confirm the claims. Another reason why it was difficult to adjust matters, was the fact that there were no records or titles in a great many cases. Then too, there had been very little surveying done. It was the custom to enclose their farms by a

(1) Statutes at Large. Vol. II. p. 677.

(2) Ibid. Vol. III. p. 125.

common fence. This gave rise to frequent quarrels concerning the keeping up of the fences, the dividing lines between the various farms and so on. These difficulties were submitted to the State legislature several times for settlement. "A plan, however, was devised and made obligatory on all concerned, by an act which regulated the enclosing and cultivating of common fields, and which gave general satisfaction."(1)

The centres of population in Illinois at this time were the French towns. They were scattered along the Mississippi river from Kaskaskia to Cahokia. There was also a settlement at Peoria. These early inhabitants of Illinois were French Canadians and emigrants from Kentucky, Tennessee and North Carolina. The best settlers came from Kentucky and Tennessee. The poorer element came from North Carolina. These were the so called, "poor whites."(2) The settlers in many cases took possession of the land and began to cultivate it without any title whatever. They were for this reason called "squatters." But Congress soon passed "preemption laws" which gave them prior rights over others, and allowed them to purchase their farms for a slight remuneration.

On Feb. 5, 1813, Congress passed "an act giving the right of pre-emption in the purchase of land to settlers in Illinois."(3) These settlers were entitled to preference in purchasing, if they had previously inhabited and cultivated the land. No more than one

(1) Burnett- notes, 307.

(2) Washburne-

(3) Statutes at Large. Vol. II. p. 797.

quarter section could be sold to any individual.

Another act was passed, April 16, 1814,(1) giving preemption rights to actual settlers, in the tract of land set aside for the Kaskaskia land claimants, and other claims not then located.

Persons failing to locate claims and who were entitled to pre-emption rights under this act, were later entitled to pre-emption of a like quantity, on any land not yet appropriated, which had been set aside for the purpose. This act was passed on February 27, 1815.(2) It also provided that settlers who were occupying lands reserved for the use of schools, should be entitled to the pre-emption of a like quantity of other land within the proper boundaries. The register and receiver of public lands were authorized by an act passed April 27, 1816,(3) which provided that those settlers who did not have 160 acres, should have the privilege of purchasing the remainder, so as to make the amount allowed to each settler.

These pre-emption laws were a great help to settlers in Illinois. Although land was not given to settlers, the laws enabled them to get the farms which they wanted at a very small price. It practically did away with competition. The first general pre-emption act was passed on May 29, 1830. (4) It provided that actual settlers on public lands were allowed any number of acres up to a quarter section, at the established minimum price of \$1.25 per acre. This act was valid for only one year, but it was extended at various times, on the request of the settlers.

(1) Ibid. Vol. III. p. 126.

(2) Ibid. p. 218.

(3) Statutes at Large. Vol. III. p. 307.

(4) Statutes at Large. Vol. IV. p.

The present law of pre-emption(1) provides that any person above the age of twenty-one years who does not already possess 320 acres of land, may enter the public lands of the United States for purposes of residence and improvement. The maximum quantity of land allowed to anyone person is 160 acres. A period varying from twelve to thirty-three months is allowed for proof and payment.

Homestead Act.

Another important movement which favored the settlement of public lands was begun by the passing of the Homestead Act in 1862. The first bill for granting homesteads was introduced into the House of Representatives in 1859. This bill was defeated in the Senate. In the next Congress, on March 6, 1860, Mr. Lovejoy, a representative from Illinois, introduced "a bill to secure homesteads for actual settlers on the public domain." The bill was lost in the House and sent to the Senate. The Chairman of the Committee on Public Lands, reported a substitute for the House bill, granting homesteads to actual settlers, at twenty-five cents per acre, but not including preceptors then occupying public lands. The Senate on May 10, 1860 passed the bill but the House refused to concur. A conference was called, which finally came to an agreement; the House accepting the Senate bill with a slight amendment. The bill was passed but was vetoed by President Buchanan. He held that it was unconstitutional and that "it will prove unequal and unjust in its operation along the actual settlers themselves." It would, he said, greatly reduce the value of the land of the actual settlers. It was also

(1) Revised Statutes. 414-419.

confined to only one class of people, namely, the agricultural class. Another objection was that it would open up a large field for speculation.

In the next Congress, another homestead bill was introduced. This bill passed both houses and received the approval of the President May 20, 1862.(1) The bill as it now stands, grants to every person above the age of twenty-one or is the head of a family, 160 acres of public land free of charge, on the condition that he settles on and improves the same. He received the title after five years residence upon the land. If he wants the title earlier, he can secure the same by paying to the government, the full minimum price. This is known as "commutation of homestead entries."

An act was passed June 8, 1872,(2) which was known as the soldiers' and sailors' homestead act. Honorably discharged soldiers and sailors, from the Army and Navy of the United States, were to be given lands under the homestead act of 1862. Their term of service in the Army or Navy was to be deducted from the five years needed for securing a title. One year's residence, however, was required.

These acts did not affect Illinois very considerably. From 1862 until 1880, under the act of May 20, 1862, there were fifty nine entries made in Illinois, including an aggregate of 4,793 acres.(3) In some of the western states and territories, there were more than 25,000 entries including in some cases more than 3,000,000 acres. "The Homestead Act" says the Public Land Commissioner, "is

(1) Revised Statutes. 419-424.

(2) Donaldson- Public Domain. p. 349.

(3) Donaldson- Public Domain. 359.

now the approved title to the public lands, It protects the Government; it fills the states with homes, it builds up communities and lessens disorder, by giving ownership of the soil in small tracts, to the occupants thereof."

Educational Land Grants in Illinois.

The ordinance of 1785 contained the first reservation of land for school purposes, made by Congress. It contained the following clause, "there shall be reserved from sale the lot No. 16 of every township, for the maintenance of public schools within the said township." (1) This reservation marks the beginning of a policy of granting land for purposes of education in the territory northwest of the Ohio river.

This same spirit is prevalent a little later, when the Ordinance of 1787 was passed with the following clause; "Religion, morality and knowledge, being necessary to good government, and the happiness of mankind, schools and the means of education shall be forever encouraged."

On July 23, 1787, a committee reported an ordinance of "Powers to the Board of Treasury" to contract for the sale of western territory in the Continental Congress. It contained the following clause, referring to the Ordinance of 1785; "that the lot No. 16 in each township or fractional part of a township, to be given perpetually for the purpose contained in the said ordinance." This act made the reservation of the sixteenth section perpetual. (2)

(1) Donaldson- Public Domain, 224.

(2) Donaldson- Public Domain, 224.

On May 18, 1796, Congress passed an act which reserved four sections at the centre of every township, containing each one mile square, for the future disposal of the United States. Section No. 16 was one of these four.

Congress passed another act on March, 1804,(1) which set aside in each township for the support of schools, section No. 16, and also an entire township for the use of a seminary of learning. The latter applied only to three land districts, Vincennes, Kaskaskia and Detroit, which were established by the same act. These land districts were in Indiana, Illinois and Michigan; consequently each of these states received one of these townships for the purpose specified.

The reservation of one section of land in each township for the support of public schools was provided for in the organization of each new state and territory, up to the time of the organization of Oregon territory in 1848. Therefore, in "an act to enable the people of the Illinois territory to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states" passed on April 18, 1818, (2) it was provided "that section No. 16 in every township, and when such section has been sold or otherwise disposed of, other lands equivalent thereto and as contiguous as possible, shall be granted to the state, for the use of the inhabitants of such township, for the use of schools." The act also provided that 5% of the

(1) Statutes at Large. Vol. II. p. 277.

(2) Statutes at Large. Vol. III. 423.

net proceeds of the sales of public lands within the state, be reserved for the making of roads and the encouragement of learning. It further provided that thirty-six sections of one entire township, designated by the President of the United States, together with the one reserved by an act passed in 1804, should be reserved for the use of a seminary of learning, and vested in the State legislature, to be appropriated to the use of such seminary. The State legislature was not to be allowed to sell the same or lease it, for a longer period than ten years. It was also provided that the State legislature should provide by ordinance that every tract of land sold by Congress, should be exempt from any tax laid by the state authority for the term of five years, after the date of the sale.

Another act which affected all the states in the Northwest territory was the granting to each a tract of land for the endowment of an agricultural college. In 1862, a bill was passed, granting to each of these states, 30,000 acres for each member of Congress. If the State did not have public lands of her own, land scrip was to be given. Illinois located 25,000 acres in Minnesota and Nebraska. The remaining 455,000 acres were sold for 75 cents per acres.

The number of acres of land Illinois received from the Federal government for educational purposes is shown by the following statement.

| | <u>Total Area</u> | <u>Date of grant.</u> |
|---------------------|----------------------|-----------------------|
| Section No. 16 ---- | 985,066 ----- | April 18, 1818. |
| University grant | 46,080 ----- | March 26, 1804. |
| | | April 18. 1818. |
| Agricultural grant | <u>480,000</u> ----- | July 2, 1862. |
| Total | 1,511,146 acres. | |

When Illinois was admitted into the Union, the enabling act gave to the State, the land reserved for the use of schools in the state. The state began at once to assume full control. The General Assembly passed acts providing for the leasing and sale of school lands, and also for the distribution of the revenue, coming from such sales and rents. The land was not to be sold for less than \$1.25 per acre. Up to the year 1843 the state had been selling and leasing lands without any authority from Congress. In that year Congress passed an act, giving the State the right to dispose of school lands, but the money must be invested and used for the support of schools. All the sales that the state had made up to the time of the passage of the act were legalized and ratified. This fund together with the fund coming from 3% of the proceeds of the sales of public lands, granted to Illinois on her becoming a state, helped the cause of education in Illinois a great deal.

The state has at various times, made small grants for educational and religious purposes. For example, in 1821, there were granted to the town of Alton in Madison county, one hundred lots for the support of schools and of the gospel. Other similar acts were passed giving to towns and villages, small tracts of land, to be used for church, school, cemetery and other purposes.

Military Bounty Land Grants.

Another class of land grants made by the Federal government, were those made for military bounties. On Dec. 24, 1811, Congress passed "an act for completing the existing military establishment." (1) It provided that when any non-commissioned officer or soldier was discharged, and had received a certificate to the effect that he had faithfully performed his duty for five years, he should be allowed and paid in addition to his regular salary, three months' pay and one hundred and sixty acres of land. The heirs and representatives of the soldiers or officers were allowed the same, if the latter had died while in the service of the United States. This land was to be designated, surveyed and laid off at the public expense. Consequently, Congress passed an act May 6, 1812, (2) "to provide for designating, surveying and granting the Military Bounty lands." The President was authorized to have surveyed, a quantity of public lands fit for cultivation, not otherwise appropriated, and to which there was no Indian title, not exceeding six million acres. Two millions of this was to be surveyed in Illinois territory, north of the Illinois river. This land, excepting salt springs and lead mines and also section No. 16 was to be reserved for the purpose of satisfying the bounties of one hundred and sixty acres promised to discharged soldiers or to their heirs and representatives. These promises were made in two acts of the Federal government, one of which, I have already spoken of. The other act, for the the purpose of raising an additional military force was passed on

(1) Statutes at Large. Vol. II. p. 669.

(2) Statutes at Large. Vol. II. 728.

January 11, 1812.(1)

Again in 1816. Congress passed an act, giving to all soldiers, who were enlisted to serve for five years or during the war, and who were not above the age of forty-five or under the age of eighteen, and who served faithfully and were regularly discharged, one hundred and sixty or three hundred and twenty acres, according to the term of enlistment. These bounties were also to be satisfied by the land reserved by the Act passed on May 16, 1812.

On April 29, 1816,(2) Congress passed another act relating to the Military Bounty Lands in Illinois territory. By this act, it was provided, that so much of the act of May 6, 1812, as pertained to Michigan territory should be repealed, and that in lieu thereof, the President was authorized to cause to be laid off, 1,500,000 acres, fit for cultivation, in Illinois territory, and 500,000 acres in Missouri territory, north of the river Missouri.

A large number of warrants were issued, for the service performed in the war between Great Britain and the United States, which commenced in 1812. The system used for satisfying these warrants was by lot. The issue of warrants ceased June 25, 1858, and the right to locate them expired June 22, 1863. At first these bounties could only be laid off upon the land included in the six-million acres reserved in Illinois, Missouri and Arkansas. But on July 27, 1842, Congress passed an act providing that these lands could be located on any of the public lands, "subject to sale at private entry."

(1) Statutes at Large. Vol. II, 671..

(2) Statutes at Large. Vol. III.- 332.

For services in the war of 1812, pursuant to all the acts passed from 1812 to 1858 inclusive, there were issued 29,186 warrants, containing altogether about 4,853,600 acres.(1) The total number of warrants issued for the Mexican War, up to June 30, 1880, was 551,193, containing 61,028,430 acres.

Internal Improvements.

The first act of Congress concerning the granting of land for internal improvements in Illinois, was the Enabling Act of April 18, 1818. This act provided that 5% of the net proceeds of sales of public lands in Illinois should be reserved. Two-fifths of this amount should be disbursed under the direction of Congress, for building roads; the remainder was to be used for the encouragement of learning of which one-sixth part was to be bestowed on a college or university. This same act also provided that all salt springs within the State, and the land reserved for the use of the same should be granted to the state. The legislature of the state was authorized not to sell or lease the same for a longer period than ten years.

On September 4, 1841,(2) Congress passed an act granting land to the states for the purpose of internal improvements. Each state was granted 500,000 acres for this purpose, providing it had not already received that amount. The legislatures of the states were directed to select the land, and it was also provided

(1) Public Domain; 234.

(2) Statutes at Large. Vol. . V. 455.

that the land must be located in parcels of not less than 320 acres in any one location. The land thus granted to the states could not be disposed of for less than \$1.25 per acre, and the net proceeds of the sales must be faithfully applied to the making of internal improvements within each state. The improvements specified by the act were roads, railways, bridges, canals, improvement of water courses and draining of swamps. It was further provided that such roads, canals, bridges, etc., should be free for the transportation of United States mail, troops and munitions of war, without the payment of any toll. The next year, Congress gave the governors of the States of Illinois, Arkansas and Missouri, the authority to select the land, without the aid or sanction of the state legislatures. By this act of 1841, there had been selected in Illinois, by June 30, 1880, 209,085 acres. Illinois had received part of the 500,000 acres under previous grants.(1)

Another valuable grant to all the states was made in 1850. In that year, Congress passed an act granting to the states, the overflowed or swamp land within their limits. The bill, as first proposed was in favor of the state of Arkansas alone. She had petitioned Congress since 1840, for aid in reclaiming her swamp lands. In 1848, the petitions of Arkansas and Missouri, who had also sent in a petition, were referred to a committee, who drew up a bill granting the swamp lands to these states. This bill did not go through. In the next Congress, a bill was introduced which was again in favor of Arkansas alone. It proposed to grant to that state, all the unsold swamp and overflowed land in the state, in

(1) Public Domain-255.

order to enable her to drain it, and make it fit for cultivation. The bill was made to extend to all the other states in the Union having swamp land, and then passed Sept. 28, 1850.(1) The act provided that the proceeds of the lands, should be used for reclaiming the same. Illinois, received very valuable lands. Prior to 1880, Illinois had received 1,451,974 acres.(2) The proceeds that were not used for the purpose of reclaiming the land, were used in various ways. By an act of the State legislature in 1852, the management of these lands was left to the counties in which they lay. It was enacted that after paying the draining expenses, the surplus should be used for educational purposes unless the county wished to use them for internal improvements. This has been a very valuable source of revenue for the aid of education in our state, as a very large sum above the cost of reclaiming the lands, was derived from their sale.(3) Most of the counties that had lands used the proceeds for educational purposes, but a large amount was used for internal improvements.

Another grant of land which may be classed under grants for internal improvements, was the donation of a tract of land in Illinois for a seat of government. On March 3, 1819,(4) Congress enacted that four sections of land be granted to the State of Illinois, "for the purpose of fixing thereon, the seat of government for the said State." Commissioners were appointed to select the

(1) Statutes at Large. VI.

(2) Public Domain. 222.

(3) American Historical Association Papers. 1884-5. p. 154.

(4) Statutes at Large. Vol. III. 525.

land. Their selection was confirmed by Congress on March 2, 1821.
(1)

One of the most important grants for internal improvements in Illinois was the one granting to the State, the land necessary for constructing a canal connecting Illinois river and Lake Michigan. The project had been considered since 1812. A select committee in Congress, as early as 1814, reported it as "the great work of the age." (2) It was considered to be a very important undertaking for both commercial and military purposes. In 1822, Congress authorized the state to construct the canal, granting for the purpose, a strip of land, ninety feet in width on both sides of it. This was the beginning of the legislation for the grant of land made later by Congress, for the Illinois and Michigan canal. In 1822, the state legislature appointed a board of commissioners to make an estimate of the cost. They reported to the next general assembly and seemed to be very much in favor of the undertaking.

The Illinois and Michigan canal association was incorporated by an act of the state legislature, Jan. 19, 1825. This company was to build the canal within two years, and was to receive all the benefits of it for fifty years after its completion. It was to be given all the land donated by the state and the United States, for the purpose of building a canal. Hon. D. P. Cook, an Illinois representative in Congress, protested vigorously against such an arrangement. He held that the State itself should take up the work, and "that the rich harvest which it was destined to yield,

(1) Ibid. 618.

(2) Davidson and Stuvé. History of Illinois, 474.

should go into the treasury of the State." He held that the returns would be so great that withing thirty years, the people would be relieved from taxation.(1) No stock was subscribed, and the charter was soon surrendered and the act repealed.

In a special session of the legislature in Jan. 1826 a memorial was sent to Congress, asking aid for the canal. The memorial was well taken and on March 2, 1827 Congress passed an act, granting a quantity of land to the state of Illinois, for the purpose of aiding her in opening a canal to connect the waters of the Illinois river with those of Lake Michigan."(2) It was provided by the act, that the canal when completed should remain a public highway for the use of the government of the United States. The canal was to be begun within five years and completed within twenty. If this were not done, the State was bound to pay to the United States, the amount received from any land sold and the remainder was to revert to the United States. The State was given the right to sell this land and to give a title in fee simple to the purchasers. This act resulted in the granting to Illinois, 290,915 acres of land.(3) The lands given were the alternate sections on both sides of the canal, extending five miles outwards along its entire route. The canal was completed on April 23, 1848.

Railroad Land Grant.

The first action which Congress took towards granting land to

- (1) Davidson and Stuvé. 475.
- (2) Statutes at Large. Vol. IV, 234.
- (3) Public Domain- 258.

Illinois in aid of a railroad was on March 2, 1833.(1) On that date, Congress authorized the State to divert the canal grant of March 2, 1827, and to use the proceeds for the construction of a railroad. This grant, however, was not utilized by the State.

On September 20, 1850,(2) Congress granted to the State of Illinois, alternate sections of land for six sections in width on both sides of the road and branches. The road was to extend, "from the southern terminus of the Illinois and Michigan canal to a point at or near the junction of the Ohio and Mississippi rivers, with a branch of the same to Chicago on Lake Michigan, and another by the way of the town of Galena, in said state of Dubuque, in the State of Iowa." The road was to be completed within ten years, or the unsold lands were to revert to the United States, and for those sold, the State must pay the regular government price. It was provided that the land should not be sold for less than \$2.50 per acre. The road was to be a public highway for the use of the government, free of toll and all other charges, for the transportation of property. The grant was subject to the disposal of the State legislature for the purpose specified.

A charter had been granted to a company for the construction of a similar road in 1835. Soon after this, the state entered upon the great internal improvement system, when the company was compelled to surrender its charter. However, the charter was returned on March 6, 1843; repealed again on March 3, 1845 and revived again in 1849. There was considerable opposition to these charters. Hon.

(1) Statutes at Large. Vol. IV. 662.

(2) Ibid. Vol. IX. 466.

Stephen A. Douglas thought that their release was necessary in order to secure the passage of the bill, granting the land to the State.

By an act of the Legislature, Feb. 10, 1851, the grant was conferred on the Illinois Central Railroad Company. By the same act, the company was incorporated. The land was to be exempt from taxation but the company was to give to the State 5 to 7 per cent of the gross receipts of the corporation. This was to be paid to the State treasurer, semi-annually. The company received from the State, all the lands granted by the Act of 1850, consisting of about 2,595,053 acres. The State had received from the company on April 30, 1880, \$8,104,656.19. The road was completed in September, 1855.

In 1856, the price of their land was fixed at from \$5 to \$25, the purchaser getting six years credit, with interest at 3%. The average price received for the land up to 1872 was about \$10 per acre. In 1895, the average price was \$7.59.(1)

| | | |
|-------------------|-------|----------------|
| Land sold to 1855 | ----- | 528,863 acres. |
| " " " 1861 | ----- | 1,200,000 " . |
| " " " 1872 | ----- | 2,215,789 " . |
| " " " 1895 | ----- | 2,507,680 " . |

The grant was made by the general government in order to hasten the sale of government lands. Its expectations were realized. When the railroad lands were sold, a stimulus was given to the sale of the adjoining government lands. Some of them were sold for \$2.50 and \$5 per acre. The sale was so rapid that the government was enabled to close its land-offices.(2) The most rapid increase was

(1) Ackerman- Early Illinois Railroads.

(2) Ackerman, Early Illinois Railroads. 37.

during the year 1854. This was probably due to the fact that the road was nearing its completion. The following table shows the sale of lands in the different land districts in Illinois from 1852 until 1856.

| <u>District</u> | <u>1852</u> | <u>1853</u> | <u>1854</u> | <u>1855</u> |
|-----------------|-------------|-------------|-------------|-------------|
| Shawneetown | 43,070 | 43,861 | 207,408 | 144,083 |
| Kaskaskia | 15,403 | 39,280 | 92,518 | 40,818 |
| Edwardsville | 18,168 | 6,293 | 54,226 | 12,125 |
| Vandalia | 25,617 | 59,562 | 186,959 | 33,607 |
| Palestine | 78,491 | 30,828 | 42,392 | 1,134 |
| Springfield | 10,845 | 7,074 | 243,095 | 20,084 |
| Danville | 9,807 | 63,580 | 32,802 | 65,165 |
| Quincy | 12,361 | 6,484 | 97,289 | 26,390 |
| Dixon | 32,876 | 25,943 | 168,895 | 38,078 |
| Chicago | 8,173 | 8,173 | 53,710 | 19,414 |

The land belonging to the Central Company was first conveyed to preemptioners. Ackerman, in his "Early Illinois Railroads, says, "Of the 2,595,000 acres of land granted by the State to the Central Company, 107,614 acres were first conveyed to pre-emption claimants." The company was very liberal to these squatters and allowed them to take up their lands on the proof submitted. Land had been sold to about 30,000 actual settlers, each taking up about eighty acres. This has had a great deal to do with the rapid settlement of our state.

Congress, on June 30, 1834, made a grant of land to two hundred and thirty-five Polish exiles. They were sent to the United States

under the order of the Emperor of Austria. Two townships were surveyed for them near Rock river in Illinois.

CHAPTER V.

Disposal of Public Land in Illinois.

Various methods have been used in the disposal of the public lands of the United States. At first, from May 20, 1785 until April 12, 1812, the Treasury department had control of the sale and disposition of the public domain. The secretary of the Treasury was assisted after 1810 by registers and receivers, stationed in land offices, which were also established at this time. Land offices are points at which land is disposed of according to United States laws. A land district may cover a whole state or there may be as many as ten in a state. From 1804 to 1834, there were ten established in Illinois.

The first one to be established was the Kaskaskia land district in 1804. This included "so much of the lands within the boundaries fixed by the treaty of the 13th of August, 1803, with the Kaskaskia tribe of Indians, as is not claimed by any other Indian tribe." (1) This comprised all the lands, situated between the Mississippi river and the water shed, between the Wabash on the East and Saline Creek and Kaskaskia river on the West. The Eastern boundary followed this ridge to the north until the waters which flowed into the Illinois river were reached. This was near the present site of Gibson City. From here the northern boundary line extended in a direct line in a south-westerly direction to the mouth of the Il-

(1) Statutes at Large. Vol. II. 273.

linois river.(1) This district was removed on Feb. 25, 1850.

The second district to be established was the Shawneetown, on Feb. 11, 1812. This was to include the land of the Kaskaskia district, east of the third principal meridian, together with the public lands lying between the Vincennes and Kaskaskia district.(2) It was abolished in 1856.

Another land district was formed April 29, 1816.(3) This included so much of the Kaskaskia district, as lay north of the base line in Illinois territory. A land-office was established at Edwardsville, Madison county. It was removed August 8, 1855.

On May 11, 1820,⁽⁴⁾ the Vandalia district was formed. It included the land in the shawneetown district, lying "east of the third principal meridian, north of the base line and west of the range line, between ranges numbered eight and nine." It was removed on May 1, 1856.

By the same act, the Palestine district was established. It included the land north of the base line, east of the range line, as stated above, and west of the Big Wabash river. It was removed in 1855.

The Springfield district was formed on May 8, 1822.(5) It included the land "east of the Mississippi rivers, north of the line separating the 13th and 14th tiers of townships, north of the base line and west of the third principal meridian." It was not removed

(1) American State Papers. Vol. V. 687.

(2) Statutes at Large. II. 684.

(3) Ibid. III. 323.

(4) Ibid. III. 571.

(5) Statutes at Large. III. 700.

1840
Office removed to
Wichita.

until March 3, 1877.

Other districts were established at Danville, Quincy, Galena, Dixon and Chicago from 1831 to 1834. They were all removed by 1855.

The sale of the public land in the various Illinois land districts, shows, to a certain extent, how the state was settled. From the time of the establishment of the land-offices until 1821, the land was first taken up in the Kaskaskia, Shawneetown, and Edwardsville districts. During this decade, most of the land was sold in the Shawneetown district. The south central and western parts of the state were therefore, the first to be settled. During the next decade, there is a falling off in the Kaskaskia and Shawneetown districts but a rapid increase in the Springfield and Palestine districts. The north and west central parts of the State were the next to be settled. This is shown, by the establishing of land-offices in these sections. From 1831 until 1834, land districts were established at Quincy, Galena and Chicago. This shows that the population is moving still further west and north. By the year 1857, all the land-offices were closed except the one at Springfield. We have now seen, how, by various methods the Federal government has disposed of all the public lands in the state of Illinois.

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